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Attorneys for Defendant
24 HOUR FITNESS USA, INC.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

ALBERT ALATORRE, an individual, and on
Behalf of all Others Similarly Situated,

Plaintiffs,

VS.

24 HOUR FITNESS USA, INC.,

Defendant.

CASE NO. 11-CV-04318-JCS

**STIPULATED SCHEDULING ORDER
RE PLAINTIFF'S MOTION FOR
PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

WHEREAS, on October 21, 2011, the Court heard argument on Plaintiff's Motion for Preliminary Approval of Class Action Settlement;

WHEREAS, on October 21, 2011, the parties requested that they be permitted to provide additional briefing on issues raised by the Court;

WHEREAS, on October 21, 2011, the Court entered a Minute Order directing the parties to submit a joint proposed briefing schedule;

IT IS HEREBY STIPULATED THAT:

1. The parties shall submit a joint supplemental brief in support of Plaintiff's Motion for Preliminary Approval of Class Action Settlement on or before November 9, 2011.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

Respectfully submitted,

DATED: October 24, 2011

KIRKLAND & ELLIS LLP

By: /s/ Elizabeth L. Deeley
Elizabeth L. Deeley
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Attorneys for Defendant
24 HOUR FITNESS USA, INC.

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1 DATED: October 24, 2011

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**WASSERMAN, COMDEN, CASSELMAN
& ESENSTEN, L.L.P.**

By: /s/ Melissa M. Harnett

Melissa M. Harnett

Robert L. Esenten

Gregory B. Scarlett

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Attorneys for Plaintiffs

ALBERT ALATORRE and on behalf of others
similarly situated

DATED: October 24, 2011

KELLER GROVER, LLP

By: /s/ Jeffrey F. Keller

Jeffrey F. Keller*

Kathleen R. Scanlan

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Attorneys for Plaintiffs

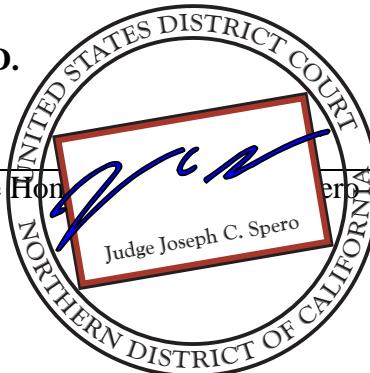
ALBERT ALATORRE and on behalf of others
similarly situated

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: October 25, 2011

The Hon

Judge Joseph C. Spero



* I, Elizabeth L. Deeley, am the ECF user whose ID and password are being used to file this Stipulated Scheduling Order Re Plaintiff's Motion for Preliminary Approval of Class Action Settlement. In compliance with General Order 45, X.B., I hereby attest that the following attorneys have concurred in this filing: Melissa M. Harnett, Robert L. Esenten, Gregory B. Scarlett, Jeffrey F. Keller and Kathleen R. Scanlan Counsel for Plaintiff Albert Alatorre and on behalf of others similarly situated.

1 **CERTIFICATE OF SERVICE**

2 The undersigned hereby certify that all counsel of record who have consented to electronic
3 service are being served with a copy of the attached STIPULATED SCHEDULING ORDER RE
4 PLAINTIFF'S MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION
5 SETTLEMENT via the CM/ECF system on October 24, 2011.

6 DATED: October 24, 2011

7 By: /s/ Elizabeth L. Deeley
Elizabeth L. Deeley

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